

REMARKS

Claims 1 - 32 remain active in this application. Claims 33 - 38 have been added to more fully recite the subject matter regarded as the invention and to present a generic claim. Support for new claims 33 - 38 is found throughout the specification drawings and claims as originally filed, particularly claims 23. No new matter has been introduced into the application.

Election has been required between six species as identified by the Examiner. A provisional election of the species of Figure 17C has been made, with traverse, above. It is respectfully submitted that the requirement is incomplete and erroneous in several respects, as will be discussed below in support of the traverse of the requirement.

First, it is respectfully submitted that the identified species are, in fact, related so as to form a single inventive concept. The emitter turn-off thyristor in accordance with the invention includes a thyristor device with semiconductor switches in series with the gate and cathode electrodes of the thyristor device such that a control signal applied in common to the semiconductor switches will turn the entire device on and off. This concept may be implemented in a variety of ways such as formation as monolithic or hybrid devices, using different devices in different technologies as the switches and packaging the devices in different ways to thus constitute a "family" of devices, as noted in the Abstract of the present application. Therefore, (while specifically not admitting that particular embodiments constituting member of the family of devices are in any way equivalent to each other) it is respectfully submitted that the Examiner is incorrect in asserting that the identified species are not disclosed as related in such a way as to form a single inventive concept.

Second, it is respectfully submitted that the requirement is incomplete since the requirement does not set out the mutually exclusive feature identified by the Examiner by which the species are considered to be distinct from each other and does not demonstrate the existence of a serious burden of examination in the absence of such a requirement. Therefore an undue burden is placed upon Applicant to determine the accuracy of the species identified by the examiner and the claims which are readable on each species since distinctness has not, in fact, been demonstrated in support of the requirement. As the Examiner is aware, both distinctness/mutual exclusivity and the existence of a serious burden in the absence of a requirement for election of species must be fully demonstrated in order to support the propriety of such a requirement.

OK

Third, the species identified by the Examiner are clearly incorrect at least as to Figures 17A and 17B and Figure 17C. As can be readily ascertained from even a cursory review of the Brief Description of the Drawings, Figures 17A - 17C are directed to the same embodiment of the invention. Claims 19 - 32 are all directed to this embodiment with claim 19 and 23 respectively including different features of the packaging. Therefore, it is respectfully submitted that all of claims 19 - 32 and new claims 33 - 38 including generic claim 33 may be read on the elected species of Figure 17C which is also illustrated in Figures 17A and 17B.

In summary, the above response includes a provisional election and identification of claims readable thereon as well as a submission of a generic claim. Further, disclosure of a relationship between the species forming a single inventive concept has been demonstrated. The Examiner, however, has not made a prima facie demonstration of the propriety of the requirement and has not demonstrated either

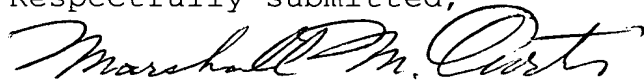
distinctness of the inventions or the existence of a serious burden of examination in the absence of such a requirement. The incompleteness of the statement of the requirement is particularly onerous since it does not identify the features the Examiner has identified to differentiate the species and thus places a substantial and unjustified burden on Applicant to speculate as to those features in determining claims readable on the elected species as well as being possibly prejudicial to the record in giving the appearance of limiting the scope of consideration of the invention. (In this regard, the elected species may be regarded as being characterized by using discrete devices for the switches and commonly packaging them with the thyristor device.) Moreover, the identification of species by the Examiner is clearly incorrect in that Figures 17A - 17C are directed to the same embodiment of the invention.

Accordingly, it is respectfully submitted that, upon reconsideration, the requirement for election of species should be withdrawn and such action is respectfully requested. Should the Examiner persist in the requirement, it is respectfully submitted that mutually exclusive features which the Examiner considers to distinguish the identified species must be stated for the record and an opportunity provided to the Applicant to directly respond thereto.

Since all rejections, objections and requirements contained in the outstanding official action have been fully answered and shown to be in error and/or inapplicable to the present claims, it is respectfully submitted that reconsideration is now in order under the provisions of 37 C.F.R. §1.111(b) and such reconsideration is respectfully requested. Upon reconsideration, it is also respectfully submitted that this application is in condition for allowance and such action is therefore respectfully requested.

A petition for a two month extension of time is being concurrently filed herewith. If any further extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



Marshall M. Curtis
Reg. No. 33,138



30743

PATENT TRADEMARK OFFICE